

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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| | -----X |
| CLAUDE V. LEWIS, | : Index No. 14-CV-2302 |
| | : : |
| Plaintiff, | : : |
| -against- | : : PLAINTIFF'S PROPOSED VOIR DIRE |
| | : : |
| AMERICAN SUGAR REFINING, INC., | : : |
| and MEHANDRA RAMPHAL, | : : |
| | : : |
| Defendants. | : -----X |

Pursuant to Fed. R. Civ. P. 47(a) and the Court's Individual Rules of Practice, Plaintiff hereby submit the following questions to be asked of prospective jurors on voir dire. Plaintiff reserves the right to amend these proposed questions as necessary to conform to pre-trial rulings.

INTRODUCTION

This action was brought by Plaintiff, Claude Lewis (“Plaintiff”) against his employer, Defendant alleges American Sugar Refining, Inc. (“Defendant ASR”) and former supervisor Mehandra Ramphal (“Defendant Ramphal” and collectively with Defendant ASR hereinafter the “Defendants”). Specifically, Plaintiff alleges that Defendants engaged in a pattern and practice of discrimination and retaliation, and discriminated against him on the basis of his race and national origin in the terms and conditions of his employment in violation of Title VII of the Civil Rights Act of 1964 (“Title VII”) and the New York State Human Rights Law (“SHRL”). Further, Plaintiff has alleged that he reported and complained of the discrimination to Defendants and, in response, was retaliated against and subject to worsening work conditions.

Defendants wholly deny the allegations of Plaintiff’s Complaint, deny that the Plaintiff was discriminated against, harassed or retaliated against because of race and/or national origin.

Defendants contend that Plaintiff never experienced an adverse employment action, and never once made any complaints despite Defendants having detailed anti-discrimination and anti-harassment policies.

QUESTIONS TO THE JURY PANEL

1. What is your highest level of education?
2. Have you achieved any degrees? Where did you earn that degree?
3. Have you ever taken any course where law has been taught or discussed?
4. What is your current occupation, profession, or type of work? If retired, what kind of work did you do before retirement and when did you do it?
5. Do you have any prior experience working in Human Resources? In what capacity? What type of human resources duties were/are you responsible for? How long have/did you worked in Human Resources?
6. Do you have any prior experience as a factory worker? In what capacity? What type of duties were/are you responsible for? How long have/did you worked in that capacity?
7. Are you currently a member of any union? If so, which union and how long have you been a member of that union? Have you ever held any position(s) with that union?
8. Have you ever experienced discrimination and/or harassment? If so, describe.
9. Has any member of your family or a close friend experienced discrimination and/or harassment? If so, describe.
10. Has any member of your family or a close friend experienced workplace retaliation? If so, describe
11. Have you ever experienced workplace retaliation? If so, describe.

12. Have you ever sought the help of a supervisor or employer to put an end to discomfort, intimidation or threats at your workplace? If so, describe.
13. Have you ever sought the help of a supervisor or employer regarding a dispute you had with another employee? If so, describe.
14. Have you ever sought the help from human resources regarding a dispute you had with another employee? If so, describe.
15. Have you ever sought the help from human resources regarding a dispute you had with one of your supervisors? If so, describe.
16. Have you ever sought the help from a union regarding a dispute you had with another employee? If so, describe.
17. Have you ever sought the help from a union regarding a dispute you had with a supervisor? If so, describe.
18. In your past or present employment, have you ever been responsible for making employment decisions with respect to hiring, promotions, terminations or work conditions of other employees? If so, describe.
19. Have you ever felt yourself to be the subject of discrimination based upon your gender, race, age, sexual orientation or national origin? If so, describe.
20. Do you have any friends, relatives or acquaintances who have told you that they have been the victim of discrimination? If so, describe.
21. Have you or any member of your family filed a discrimination complaint? If so, describe.
22. Do you or does anyone in your family have a background or history of working in a sugar refining operation? If so, describe.

23. Do you or does anyone in your family have a background or history of working in a factory? If so, describe.
24. Have you ever heard of American Sugar Refining before? If so, when and in what capacity?
25. Are you familiar with the brand Domino Sugar?
26. Are you aware that Domino Sugar owns American Sugar Refining? If so, how are you aware?
27. Have you ever applied for, or were employed by either Domino Sugar or American Sugar Refining?
28. Has any member of your family or a close friend ever been employed by Domino Sugar or American Sugar Refining?
29. Have you ever heard anything about Domino Sugar or American Sugar Refining? Does anything that you might have heard lead you to believe that you could not be unbiased or fair in your deliberation of this case?
30. Have you had any other experience with Domino Sugar or American Sugar Refining that would lead you to believe that you could not be unbiased or fair in your deliberation of this case?
31. Is there any reason why you could not be fair or impartial to Plaintiff because of an experience with American Sugar Refining and/or Domino Sugar? If so, describe.
32. Is there any reason why you could not be fair or impartial to Defendants because of your and/or current prior work experience? If so, describe.
33. Do you currently or have you in the past worked in a law office? In what capacity? What type of law was practiced at that office?

34. Has any member of your family or a close friend ever been employed in a law office? In what capacity? What type of law was practiced at that office?

35. Please state whether you know, know of, or have had any dealings, directly or indirectly with any of the following individuals or any members of their families, or any of the following entities:

- a. Claude Lewis;
- b. Defendant American Sugar Refining, Inc. (“ASR”) including any person you know to be a current or former employee of American Sugar Refining;
- c. Domino Sugar, including any person you know to be a current or former employee of Domino Sugar;
- d. Mehandra Ramphal;
- e. Robert Jandovitz;
- f. Elizabeth Mendonca;
- g. Debbie Troche;
- h. Rosanna Mayo-Coleman;
- i. Bobsie Monroe;
- j. Adolph McBean;
- k. Ray Grossi;
- l. Sean Norwood;
- m. Kevin Parnell;
- n. Bruce Furick;
- o. Fred Gaffney;
- p. Fred Paniccia;

- q. Lucious Green;
- r. Karen L. Dahlman;
- s. Rhea Segal Parsons;
- t. Megan Goddard, Esq. or Gabrielle Vinci, Esq.
- u. The law firm Nesenoff Miltenberg, LLP;
- v. Michael T. Hensley, Esq. or Lauren Fenton-Valdivia, Esq.
- w. The law firm Bressler, Amery & Ross, P.C.;
- x. Nathaniel K. Charny, Esq.; and
- y. The law firm of Charny & Wheeler;

36. Have you ever sat as a juror before? If yes, what kind of case was it? Was the jury able to reach a verdict? Did you agree with that verdict?

37. Have you ever been a party in any type of lawsuit? If so, were you the plaintiff or defendant? Were you represented by counsel? Who was your counsel? Was it a criminal or civil case? Please describe the substance of the case.

38. Have you ever been involved as a witness in any case? If so, describe.

39. Have you ever been involved as an expert in any case? If so, describe

40. Does your past experience affect how you may consider this case? If so, describe.

41. Based on the brief summary of the facts given to you, do you have any opinion at this time regarding the facts of this case? If so, describe.

42. Are there any reasons you could not be fair and impartial in this case? If so, describe.

43. Are you able to follow the law even if you do not agree with it?

44. If the evidence justified it, could you find in favor of the Defendants just as easily as for the Plaintiff?

45. Defendants have predicted that this trial could last between 7 and 9 days. Is there anything about the length of the trial that would prevent you from sitting as a juror in this case?
46. What magazines or newspapers, if any, do you read?
47. What TV shows do you regularly watch?
48. What news channels do you regularly watch?
49. Have you ever been arrested? Have you ever been convicted of a crime?
50. Do you have any hobbies or interests outside of work? If so, what are they?
51. Are you a member of any clubs or non-governmental organizations? If so, which ones?
52. Do you think you can tell when someone is being honest or dishonest about discrimination?
53. Do you consider yourself a good judge of character?
54. Do you think someone must admit that he or she discriminated against another person to believe that he or she discrimination against that person?
55. Have you ever not received a job, or a promotion, or a raise that you believe you deserved. If so, please describe the circumstances.
56. Have you ever not seen someone else receive a job, or a promotion, or a raise that you believed they did not deserve. If so, please describe the circumstances.
57. Have you ever been terminated from employment? If so, please describe the circumstances. Did you think your termination was fair? Why or why not?

[SIGNATURE PAGE TO FOLLOW]

Dated: New York, New York
November 7, 2017

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